

1 **DUANE MORRIS LLP**
2 D. Stuart Bartow (CA SBN 233107)
3 dsbartow@duanemorris.com
4 Nicole E. Grigg (CA SBN 307733)
5 negrigg@duanemorris.com
6 2475 Hanover Street
7 Palo Alto, CA 94304-1194
8 Telephone: 650.847.4150
9 Facsimile: 650.847.4151

10 **DUANE MORRIS LLP**
11 Joseph A. Powers (PA SBN 84590)
12 Admitted *Pro Hac Vice*
13 japowers@duanemorris.com
14 Jarrad M. Gunther (PA SBN 207038)
15 Admitted *Pro Hac Vice*
16 jmgunther@duanemorris.com
17 30 South 17th Street
18 Philadelphia, PA 19103
19 Telephone: 215.979.1000
20 Facsimile: 215.979.1020

21 Attorneys for Defendant
22 SONICWALL INC.

23 **DUANE MORRIS LLP**
24 Matthew C. Gaudet (GA SBN 287789)
25 Admitted *Pro Hac Vice*
26 mcgaudet@duanemorris.com
27 Robin L. McGrath (GA SBN 493115)
28 Admitted *Pro Hac Vice*
rlmcgrath@duanemorris.com
David C. Dotson (GA SBN 138040)
Admitted *Pro Hac Vice*
dcdotson@duanemorris.com
Jennifer H. Forte (GA SBN 940650)
Admitted *Pro Hac Vice*
jhforte@duanemorris.com
1075 Peachtree NE, Suite 2000
Atlanta, GA 30309
Telephone: 404.253.6900
Facsimile: 404.253.6901

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN JOSE DIVISION**

17 FINJAN, LLC, a Delaware Limited Liability
18 Company,

19 Plaintiff,

20 v.

21 SONICWALL INC., a Delaware Corporation,

22 Defendant.

23 Case No.: 5:17-cv-04467-BLF-VKD

24 **SONICWALL'S SUBMISSION
25 REGARDING THE '926 PATENT'S
26 "TRANSMITTER LIMITATION"**

1 During the January 14, 2021 hearing on SonicWall, Inc.'s Motion for Partial Summary
 2 Judgment, the Court permitted SonicWall to submit a chart identifying, for each of Finjan's five
 3 theories regarding the '926 Patent's "Transmitter Limitation,"¹ a single aspect of that Limitation for
 4 which Finjan has failed to come forward with any evidence. SonicWall thus submits the following
 5 chart:

	MISSING CLAIM ELEMENT
<u>FINJAN'S THEORY 1</u> GRID Server/Human Threat Research Team (TRT) as "Destination Computer" based on retrieval of the file [Mitzenmacher Rep., ¶ 282]	"transmitting . . . a representation of the retrieved Downloadable security profile data"
<u>FINJAN'S THEORY 2</u> Sandbox Database as "destination computer", based on "transmission by reference" via "a hash pointer" [Mitzenmacher Rep., ¶¶ 283-285]	"transport protocol transmission"
<u>FINJAN'S THEORY 3</u> Known File Database as "destination computer" based on "transmission by reference" via "a hash pointer" [Mitzenmacher Rep., ¶ 286]	"transport protocol transmission"

24 _____
 25 ¹ The Transmitter Limitation of the asserted claims of the '926 Patent recites "a transmitter coupled
 26 with said receiver, for transmitting the incoming Downloadable and a representation of the retrieved
 27 Downloadable security profile data to a destination computer, via a transport protocol transmission."

<u>FINJAN'S THEORY 4</u> Cloud Database as “destination computer” based on data uploaded to the cloud database [Mitzenmacher Rep., ¶ 287]	“transport protocol transmission”
<u>FINJAN'S THEORY 5</u> Capture Database as “destination computer” based on data stored in Capture Database [Mitzenmacher Rep., ¶ 285]	“transport protocol transmission”

Dated: January 19, 2021

DUANE MORRIS LLP

/s/ Nicole E. Grigg
Nicole E. Grigg
D. Stuart Bartow
Matthew C. Gaudet (admitted *pro hac vice*)
Robin McGrath (admitted *pro hac vice*)
David C. Dotson (admitted *pro hac vice*)
Jennifer H. Forte (admitted *pro hac vice*)
Joseph A. Powers (admitted *pro hac vice*)
Jarrad M. Gunther (admitted *pro hac vice*)

*Attorneys for Defendant
SONICWALL INC.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on January 19, 2021, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Nicole E. Grigg

Nicole E. Grigg